IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1387 OF 2004
IN
SUMMARY SUIT NO.3589 OF 2002

Manubhai H. Patel .. Plaintiff

Vs.

M/s.Lalit Constructions & Ors. .. Defendants

Mr.H.Sethi for the plaintiff

Mr.S.I.Jaykar for the defendants

CORAM : S.U.KAMDAR, J

DATED : 25TH APRIL 2005

P.C.:

. The present chamber summons is taken out for amendment of the plaint. The only objection raised to the amendment is that the proposed amendment substantially changes the entire cause of action. The amendment by this Chamber Summons is proposed without prejudice to the pending summons for judgment. There is no substance in the argument of the learned counsel for the defendants that the amendment entirely changes the cause of action in the suit and therefore chamber summons requires to be dismissed. By the present amendment

only further averments are sought to be added in support of original cause of action. Chamber Summons is made absolute in terms of prayer clause (a). Amendment to be carried out within 2 weeks.